

REMARKS

Summary of Office Action

Claims 1-84 are pending in this application.

Claims 1-8, 10-12, 16, 21-28, 30-32, 36, 41-48, 50-52, 56, 61-68, 70-72 and 76 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young et al. U.S. Patent Application Publication No. 2003/0142957 ("Young") in view of Rosetti et al. U.S. Patent Application Publication No. 2005/0022242 ("Rosetti"). Claims 9, 29, 49, and 69 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti and Arsenault et al. U.S. Patent No. 6,701,528 ("Arsenault"). Claims 13, 33, 53, and 73 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti and Javed U.S. Patent Application Publication No. 2002/0162112 ("Javed"). Claims 14, 34, 54, and 74 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti and Proehl et al. U.S. Patent No. 6,532,589 ("Proehl"). Claims 15, 35, 55, and 75 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti, Proehl, and Yoshinobu U.S. Patent No. 5,734,444 ("Yoshinobu"). Claims 17, 19, 37, 39, 57, 59, 77, and 79 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti and Ismail et al. U.S. Patent No. 6,614,987 ("Ismail"). Claims 18, 38, 58, and 78 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti, Ismail, and Proehl. Claims 20, 40, 60, and 80-84 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti and Allport U.S. Patent No. 6,483,548 ("Allport").

Summary of Telephonic Interview

Applicants would like to thank the Examiner for the courtesies extended during the November 6, 2008 telephonic interview with Daniel B. Gurman and the undersigned. During the interview, the Examiner's rejections with respect to the independent claims were discussed. Applicants explained the differences between the claimed invention and the prior art and proposed amendments of the claims (discussed below). The Examiner acknowledged that the proposed amendments appear to overcome the prior art of record.

Summary of Applicants' Reply

Applicants have amended claims 1, 2, 5-14, 16, 20-22, 25-34, 36, 40-42, 45-54, 56, 60-62, 65-74, 76, and 80 in order to more particularly define the claimed invention. No new matter has been added and the amendments are fully supported by the originally-filed application. (See, e.g., applicants' specification at FIGS. 25 and 26, paragraphs 170-178.)

The Examiner's rejections are respectfully traversed.

Applicants' Reply

Claims 1-8, 10-12, 16, 21-28, 30-32, 36, 41-48, 50-52, 56, 61-68, 70-72 and 76 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Rosetti. Claims 9, 13-14, 17-20, 29, 33-35, 37-40, 49, 53-55, 57-60, 69, 73-75, and 77-84 have been rejected under 35 U.S.C. § 103(a) as being obvious from Young and Rosetti in view of various combinations of Arsenault, Javed, Proehl, Yoshinobu, Ismail, and Allport ("secondary references"). Applicants respectfully traverse these rejections.

Applicants' invention, as defined by amended independent claims 1, 21, 41, and 61, is directed to systems and methods for providing a user with program information using an interactive television program application. Program listings are displayed in a grid format, and the user is allowed to scroll the program listings backwards in time. A processor determines that a past, unrecorded program is no longer available for viewing by the user. In response to the determining, an indicator that indicates the past, unrecorded program is no longer available for viewing by the user is generated and displayed with a program listing.

Young refers to a full-screen program guide wherein program listings are displayed by time and channel. Young includes indicators that denote various types of recording status. (Young, paragraphs 52-55.)

Rosetti refers to a program guide with programs in time slots. (Rosetti, FIG.4 and paragraph 29.) In Rosetti's guide, all past programs are shaded. Rosetti also refers to programs which have been recorded or requested to be recorded in the program guide as being indicated by an '*' (asterisk). (Rosetti, paragraph 30.)

The Examiner acknowledges that Young fails to show scrolling backwards in time, wherein at least one listing includes an indicator that indicates a past, unrecorded program is no longer available for viewing and cites Rosetti as allegedly making up for this deficiency. In particular, the Examiner alleges that the combined shading of a past program and the display of an asterisk when a program has been recorded is the same as applicants' claimed indicator that indicates a past

unrecorded program that is no longer available for viewing.
(Office Action, page 8.)

As acknowledged by the Examiner during the interview, applicants respectfully submit that Rosetti does not show or suggest determining, using a processor, that a past, unrecorded program is no longer available for viewing and generating, in response to the determining, the displayed indicator that indicates that past, unrecorded program is no longer available for viewing, as defined by applicants' claims 1, 21, 41, and 61. In particular, the Examiner acknowledges that in Rosetti, the user must make the determination that a past program is unavailable by identifying programs in the display that are shaded and lack the asterisk. (Office Action, pages 4-5.) Applicants' claimed invention reduces this burden on the user by having the processor make the determination that a past, unrecorded program is no longer available for viewing.

Moreover, Rosetti shades *all* programs that are in the past and merely places an asterisk on *all* listings that have been or will be recorded and does not determine whether past unrecorded programs are no longer available for viewing and, in response to that determination, generate an indicator that denotes such characteristics, as required by applicants' claims. More specifically, at best in Rosetti two independent determination are made: (1) whether a program is in the past and (2) whether a program has been scheduled for recording. However, nowhere does Rosetti show or suggest a determination using a processor being made as to whether a program is in the past, is unrecorded and is no longer available for viewing, as required by applicants' claims. Furthermore, Rosetti discusses the display of two different indicators (i.e., shading and

asterisk) associated with the two independent determinations (i.e., one for past programs and one based on program recording) and does not show or suggest the generation of a entirely separate indicator that indicates the past, unrecorded program is no longer available for viewing, let alone, generating the indicator in response to determining that the program is in the past, is unrecorded and is no longer available for viewing.

Thus, Rosetti does not make up for the deficiencies of Young in that regard. Therefore, Young and Rosetti, alone or in combination, do not show or suggest all features of applicants' claims.

None of the secondary references, cited by the Examiner as allegedly showing other features of applicants' claims, make up for the deficiencies of Young and Rosetti relative to the rejection.

Accordingly, applicants respectfully submit that claims 1, 21, 41, and 61, and claims 2-20, 22-40, 42-60, and 62-84 which depend, directly or indirectly, from claim 1, 21, 41, or 61, are patentable over the prior art of record.

Conclusion

For the reasons stated above, applicants respectfully submit that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,

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